

CALIFORNIA STATE BOARD OF EDUCATION

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Highlights from the State Board of Education

A monthly summary of key actions taken by the SBE

October 2001

State Board Approves NRT Selection Criteria, Funds for Independent Contract Evaluator

The State Board of Education (SBE) took action at its October meeting to continue to shape the state's student testing program into a streamlined system of assessment aligned to California's rigorous academic content standards.

First, the Board approved selection criteria that will be used to review submissions for a new norm-referenced test for the state's Standardized Testing and Reporting (STAR) Program beginning in 2003. The STAR program currently consists of the Stanford 9 norm-referenced tests; the California Standards Tests, which are based on the state's academic content standards; and the Spanish Assessment of Basic Education, 2nd Edition. Under state law, the Board designates the norm-referenced test for the STAR program. Each norm-referenced test submitted by publishers for consideration will undergo extensive review by expert panels, including a look at the quality of test items and their alignment to the state's academic content standards.

The Board also unanimously approved a proposal by California Department of Education (CDE) staff to use federal funds for an independent evaluation contractor to help the state achieve a more effective and efficient testing system. The 2001-02 Budget Act provides \$3 million for the purpose of ensuring that the California High School Exit Exam and standards-based STAR tests are aligned to the state's academic content standards, with the funds contingent upon prior approval of an expenditure plan by the SBE. The motion approved by the Board stipulated the following: 1) any studies to be conducted must be reviewed by an expert testing panel and be an integral part of the state's long-term testing plan; 2) any RFP for the independent evaluation contractor will be developed in consultation with the Board testing liaisons and SBE staff; 3) to the maximum extent possible, the independent evaluation contractor will assist the CDE and SBE in the development of the proposals for the NRT, the California Standards Tests, and the testing plan for 2003 and thereafter.

Non-compliance with *Comité* Puts Funding at Risk

Board President Reed Hastings noted that the SBE in November and December will be asked to approve applications for funding Consolidated Categorical Aid Programs in school districts covered by a consent decree under *Comité de Padres, et al., v. Superintendent of Public Instruction, et al.* Hastings said a number of *Comité* school districts have been out of compliance with the consent decree for three or more years.

"Although there are several possible Board sanctions in the compliance plan, I would like (Board members) to seriously consider and be prepared to withhold money from these districts for the consolidated applications when they come before this Board," Hastings said.

*****Non-compliance with *Comité*, cont.*****

Hastings added, "Three years is certainly sufficient time in my opinion to come into compliance with the law. These districts should be put on notice that this Board does not intend to take non-compliance lightly."

CDE staff noted that about 60 *Comité* school districts would be seeking approval of their consolidated applications. CDE staff also noted that last year funding was withheld from two school districts because of *Comité* issues, adding that such action was an effective tool in dealing with the problems.

*****Hearings set for Proposed Student Performance Levels on California Standards Tests *****

The Board unanimously approved three regional public hearings to gather public comment on where the state should set "performance standards" or student achievement levels for the California Standards Tests in 2002 and thereafter. The California Standards Tests are aligned to the state's academic content standards, which lay out what students should know and be able to do at each grade level in English-language arts, mathematics, history-social science and science.

In August, the STAR reports for the first time included results by student performance levels, but only for English-language arts standards tests. Student performance was measured at one of five levels or "standards": advanced, proficient, basic, below basic and far below basic. (Proficient or above is the state's desired performance level for all students).

These same five performance levels are being proposed for all subjects in 2002, allowing the state to report student achievement for the mathematics, history-social science, and science standards-based tests next year, in addition to the English-language arts exam. Finally, the performance standards in English-language arts would be modified at grades 4 and 7 to incorporate students' scores on the writing assessment now conducted at those grades.

A public notice of the hearings can be obtained on the Internet at www.cde.ca.gov/board.

*****SBE Rejects Bid to Divide Fremont Unified*****

The Board unanimously rejected a reorganization petition that sought to carve out a new Mission San Jose Unified School District from the existing Fremont Unified School District, accepting a CDE staff resolution to deny the petition.

The CDE staff analysis found that the proposed reorganization would create "a significant need for new school facilities" in the proposed Mission San Jose district while schools in the remaining FUSD would have excess capacity.

*****SBE Rejects Bid, cont.*****

CDE staff also found that creation of a Mission San Jose district would result in “increased concentrations” of lower-income students and students designated as English learners in the remaining FUSD, and would increase per-student educational program costs in the district.

Board Member Suzanne Tacheny noted that proponents gave a lot of testimony about athletics but not academics. Board Member Susan Hammer added that students in the proposed Mission San Jose district already are getting “a first-rate” education. Schools in the proposed MSJUSD have an average statewide rank of 10 in the state’s Academic Performance Index. Board Member Vicki Reynolds made the motion to adopt the CDE resolution disapproving the petition, noting that certain criteria required for approval had not been met.

*****Regulations on Accommodations for High School Exit Exam Sent out for Public Comment*****

The Board passed a motion for a 15-day public comment period on revised regulations on accommodations for the California High School Exit Exam (CAHSEE) for students with disabilities.

At issue are the necessary and appropriate accommodations that must be granted to students with disabilities to ensure they have access to the CAHSEE without fundamentally altering what the test is designed to measure. Under the proposed regulations prepared by SBE staff for public comment, calculators on the math portion of the test and audio or oral presentation of the English-language arts portion of the test would not be allowed. The proposed regulations hold that such accommodations would fundamentally alter the mandate of the exit exam to measure a student’s reading and math computation skills. Under a public policy waiver exception to be considered in November, school districts could seek a waiver of the English-language arts portion of the exam for special education students who are physically unable to learn to read.

In approving the motion, the Board stated its intent to explore with the Legislature whether there are statutory options that would allow for the awarding of high school diplomas to students whose disabilities cannot be accommodated in taking the exit exam without fundamentally altering what the test measures.

*****Information Items*****

English Learners – The Board deferred action until the November 2001 meeting on a notice of proposed rulemaking to start the public comment process on regulations dealing with the reclassification of students identified as English learners to fluent English proficient. Once a notice is approved, a 45-day public comment period will follow. A public hearing will then be scheduled.

*****Information Items, cont.*****

Charter Schools – The Board approved the establishment of a nine-member Advisory Commission on Charter Schools, and approved the appointment of initial members. The Commission will advise the SBE on all aspects of the Board's duties under the *Charter Schools Act of 1992*. The Commission shall assist the Board in carrying out the Board's proper role of ensuring that charter schools realize higher student achievement via sound educational programs and practices, proper financial management and other specific requirements of law. Full duties of the Commission and its membership can be viewed on the Internet at www.cde.ca.gov/board.

API – At the Board's September meeting, Board President Reed Hastings asked CDE staff to review the possibility of including the grade 2-7 mathematics California Standards Test performance levels in the 2001 base API, rather than waiting until 2002. He asked staff to bring back a recommendation and a discussion of the advantages and disadvantages of this addition to the 2001 base API. The Board consensus was to concur with CDE staff recommendation to proceed with the current plan to include mathematics results in the 2002 base API.

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